

REMARKS

Applicants submit this paper in response to the Office Action dated May 17, 2004 that was issued in the above-identified application. Applicants respectfully request reconsideration of the instant application in view of the remarks presented herein.

1. Claims are Novel Over the Cited Document

Claims 52-71 and 74-77 are rejected under 35 U.S.C. §102(a) as allegedly anticipated by Fuhr et al. (hereinafter "Fuhr"). The Examiner has alleged that Fuhr discloses the present invention as claimed.

Applicants traverse this rejection and assert that not all the authors listed on the Fuhr reference, *i.e.*, Heiko Zimmermann, Hermine Hitzler and Horst Niehus, are inventors of the present invention. Specifically, Dr. Heiko Zimmermann only made atomic force microscopy (ATM) measurements as well as optical microscopy measurements. Dr. Hermine Hitzler also contributed to such measurements and, in addition, conducted a literature search for publications relating to interference reflection microscopy. Dr. Horst Niehus also contributed to the ATM technique. Further, Dr. Hermine Hitzler and Dr. Horst Niehaus contributed to the draft of the publication text. Applicants submit herewith a Katz Declaration which avers to the facts stated above. In view of submission of the Katz Declaration, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. §102.

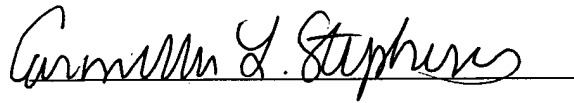
CONCLUSION

Entry of the foregoing remarks into the file history of the above identified application is respectfully requested. Applicant believes that the invention described and defined

by the claims is patentable over the rejections of the Examiner. Withdrawal of all rejections and reconsideration of the claims is requested. An early allowance is earnestly sought.

Respectfully submitted,

August 16, 2004

A handwritten signature in cursive script, reading "Carmella L. Stephens", written over a horizontal line.

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